

EXHIBIT E

Email Correspondence

From: [Prouty, Erika Dackin](#)
To: [McKnight, Katherine L.](#); [Hilary Harris Klein](#)
Cc: [Jyoti Jasrasaria](#); [Chris Shenton](#); [Terence Steed](#); [Mary Carla Babb](#); [Corey T. Leggett](#); [Harmony A. Gbe](#); [Jeff Loperfido](#); [jessica.ellsworth](#); [Tom Boer](#); [Madeleine R. Bech](#); [Misty Howell](#); [Odunayo Durojaye](#); [Olivia Molodanof](#); [Abha Khanna](#); [Mark Haidar](#); [nghosh@pathlaw.com](#); [Alison Ge](#); [Lily Talerman](#); [Jordan Koonts](#); [Phil Strach](#); [Raile, Richard](#); [Lewis, Patrick T.](#); [Stanley, Trevor M.](#); [Cassie Holt](#); [Alyssa Riggins](#)
Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)
Date: Friday, October 4, 2024 3:39:47 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[2024.10.04 Notice of Deposition of Common Cause.pdf](#)
[2024.10.04 Notice of Deposition of North Carolina NAACP.pdf](#)

Hilary,

As Kate mentioned, attached are the Rule 30(b)(6) notices for Plaintiffs NC NAACP and Common Cause. We have inserted placeholder dates for now, but please confirm dates for these depositions.

Sincerely,

Erika Prouty
Associate

BakerHostetler

200 Civic Center Drive | Suite 1200
Columbus, OH 43215-4138
T +1.614.462.4710

eprouy@bakerlaw.com
bakerlaw.com



From: McKnight, Katherine L. <kmcknight@bakerlaw.com>
Sent: Friday, October 4, 2024 2:42 PM
To: Hilary Harris Klein <hilaryhklein@scsj.org>
Cc: Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrishshenton@scsj.org>; Terence Steed <Tsteed@ncdoj.gov>; Mary Carla Babb <MCBabb@ncdoj.gov>; Corey T. Leggett <corey.leggett@hoganlovells.com>; Harmony A. Gbe <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; jessica.ellsworth <jessica.ellsworth@hoganlovells.com>; Tom Boer <tom.boer@hoganlovells.com>; Madeleine R. Bech <madeleine.bech@hoganlovells.com>; Misty Howell <misty.howell@hoganlovells.com>; Odunayo Durojaye <odunayo.durojaye@hoganlovells.com>; Olivia Molodanof <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison Ge <age@elias.law>; Lily Talerman <Lily@scsj.org>; Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>; Prouty, Erika Dackin <eprouy@bakerlaw.com>; Cassie Holt

<cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Subject: Re: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Thank you, Hilary.

The parties view the issue very differently and we already have detailed two different ways to resolve it (Plaintiffs rest on their assertion of privilege and forego discovery and evidence about their members, or Plaintiffs provide to us by today the names and addresses of Standing Members so they may be examined during the discovery period).

We understand Plaintiffs have declined our offer to resolve this issue and that you intend to file something with the Court.

Kate

On Oct 4, 2024, at 1:03 PM, Hilary Harris Klein <hilaryhklein@scsj.org> wrote:

Kate,

Thank you for your email. Just to clarify, my proposal below did not ask for a stipulation of standing as you state in your latest email. Nor do plaintiffs intend at this time to introduce testimony from members who have not been disclosed by name, unless required by the Court, and in that instance limited in the way I set out below. I just wanted to ensure you understood that before we file our motion.

I intend to file around 4pm. If you have reconsidered based on a prior misunderstanding of our proposal, please reach out before then. Otherwise, I will understand Legislative Defendants have declined our offer to resolve this issue.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
[scsj.org](https://www.scsj.org) | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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the sender by replying to this transmission and delete the message without disclosing it. Thank you.

From: McKnight, Katherine L. <kmcknight@bakerlaw.com>

Sent: Friday, October 4, 2024 11:39 AM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrisshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; jessica.ellsworth <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>; Lily Talerma <Lily@scsj.org>

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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Thank you for your e-mail, Hilary.

While we appreciate your effort to resolve disputes without court intervention, we are not sure what Plaintiffs are asking us to do with what you write below. We do not have the authority to waive Plaintiffs' burden to establish standing. We are content to take Plaintiffs' assertion of "First Amendment" privilege, and move on from any discovery into any of its members. However, Plaintiffs seem to intend to rely on members to establish standing in this case, while at the same time asserting privilege against discovery about those Standing Members. We view this as a straightforward violation of the sword and shield doctrine and have put Plaintiffs on notice of our position. We are aware of no case law that deems discovery about standing "way beyond the bounds of permissible discovery."

As we have previously explained, the late timing of future disclosures in response to discovery served long ago will prejudice our defense of this suit. Plaintiffs are incorrect to blame "Defendants' own lack of diligence in discovery." The interrogatory was served on June 11, 2024, and Plaintiffs' response was due on July 11, 2024. At that time, Plaintiffs asserted privilege against the disclosure of information within the scope of the interrogatory. While a proper privilege assertion would provide a defense to timely production, the assertion here is improper because it is selective: Plaintiffs now

seek to pick and choose what responsive information to produce, whereas privilege rises or falls as one with the subject matter. It is the abuse of the privilege that has caused the delay, and we will seek relief from resulting prejudice as appropriate. This could include, without limitation, objecting to any introduction or use of responsive information at any time going forward, or seeking alteration of case deadlines, including the trial date. We also will object to use or introduction of redacted or incomplete documents under Federal Rule of Evidence 106. We are entitled to examine witnesses on whom Plaintiffs rely for standing in this matter, and to vet the selective hearsay assertions made in the affidavits you propose below.

We understand that Plaintiffs will do what they think is necessary as far as approaching the court. We agree that we have satisfied Local Rule 37.1(a) conference and consultation requirements.

On a related note, we will be serving notices today for the 30(b)(6) depositions of organizational plaintiffs. When possible, could you let us know dates of availability for these depositions?

Thank you and kind regards,

Kate

Katherine L. McKnight
Partner

<image005.png>

<image001.png>

Washington Square

1050 Connecticut Ave N.W. | Suite 1100

Washington, DC 20036-5403

T +1.202.861.1618

kmcknight@bakerlaw.com

bakerlaw.com

<image002.png>

<image003.png>

From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Wednesday, October 2, 2024 5:13 PM

To: Prouty, Erika Dackin <eprouty@bakerlaw.com>; Jyoti Jasrasaria

<jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins

<alyssa.riggins@nelsonmullins.com>; Chris Shenton <chrishshenton@scsj.org>; Steed,

Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>;

Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; jessica.ellsworth <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>; Lily Talerman <Lily@scsj.org>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Counsel,

I write in response to your most recent letter on September 27 as well as our September 26th meet and confer. Let me first clarify one item from your letter – Organizational Plaintiffs are not “wavering” on the assertion of First Amendment privilege over their member identities as you state in your letter. To the contrary, what I expressed in our September 26 meet and confer was a good faith effort to find common ground on this issue to avoid the need for court intervention (by providing member voter files reflecting their voting districts and race but redacted of personal information, in addition to organizational affidavits), and that we would otherwise seek to comply with any court order in the future. But to date we do not understand either the Federal Rules or applicable law to require or necessitate the disclosure of member identities.

I understand that Defendants both seek the identities of specific members of the North Carolina NAACP and Common Cause in challenged districts, and to depose those members. We believe this request to be way beyond the bounds of permissible discovery, and something that would greatly burden and likely intimidate non-party members of these organizations. Accordingly, we intend to seek clarification from the Court on this issue and a protective order over membership identities by filing a motion for a protective order on Friday. Since Defendants have indicated they believe they will experience prejudice after this date, we feel a need to act quickly to resolve this issue, although we dispute the assertions of prejudice and attribute the timing of this issue to Defendants’ own lack of diligence in discovery.

In an effort to resolve Defendants’ concerns regarding standing and also avoid Court intervention, NAACP Plaintiffs are willing to provide specific member voting records reflecting their self-designated race, city, zip code, party affiliation, voting history, and current voting districts but redacted of personally identifying information (including redacting the name, street address (but not town / zip), Voter Registration Number, and NCID). These would be redacted version of the same documents we provided for the individual plaintiffs in our prior production. In exchange, we would ask for an agreement that Defendants will not seek to depose any members who are not otherwise disclosed by name to Defendants, and a stipulation from Defendants that Organizational Plaintiffs have established that specific individual members reside in those districts. NAACP Plaintiffs would need at least two weeks in order to seek permission to disclose this information from individual members. NAACP Plaintiffs will also agree not to call any members who are not otherwise disclosed by name to Defendants at trial, unless ordered by the Court to establish standing, and in that case testimony would only be offered to establish (1) their membership in the organization and (2) that

they are an eligible voter identifying as Black/African American in particular area intending to vote. NAACP Plaintiffs also offer the Organizational Plaintiffs for depositions on standing pursuant to Rule 30(b)(6), and note that, to date, we have not received notices for such depositions. We attach here declarations setting forth evidence of standing and how members were identified for reference, including the Maxwell Declaration previously provided to you on September 25.

Please let me know by Friday, October 4, at 12pm whether you can agree to this proposal. I believe our prior meet and confer on this issue, as well as our extensive exchange of letters, to have satisfied the Local Rule 37.1(a) conference and consultation requirements. However, if you disagree, I am also available Friday, October 4 from 10 – 11am or 11 – 12pm for any further consultation that would help us to resolve this issue.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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Kind regards,

From: Prouty, Erika Dackin <eprouthy@bakerlaw.com>
Sent: Friday, September 27, 2024 2:49 PM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Chris Shenton <chrishshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; jessica.ellsworth <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>; Lily Talerman <Lily@scsj.org>
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<kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Please see the attached correspondence following up on yesterday's meet and confer.

Sincerely,

Erika Prouty

Associate

<image006.png>

<image001.png>

200 Civic Center Drive | Suite 1200

Columbus, OH 43215-4138

T +1.614.462.4710

eprouthy@bakerlaw.com

bakerlaw.com

<image002.png>

<image003.png>

From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Wednesday, September 25, 2024 4:31 PM

To: Prouty, Erika Dackin <eprouthy@bakerlaw.com>; Jyoti Jasrasaria

<jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins

<alyssa.riggins@nelsonmullins.com>; Chris Shenton <chrisshenton@scsj.org>; Steed,

Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>;

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<harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>;

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<madeleine.bech@hoganlovells.com>; Howell, Misty

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<kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T.

<plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Erika,

Yes, I am available tomorrow (Thursday) 4 – 5pm for a meet and confer. Also, please see attached a declaration from the North Carolina NAACP on this issue, as indicated in our letter.

Kind regards,

Hilary

Hilary Harris Klein

Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
[scsj.org](https://www.scsj.org) | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Prouty, Erika Dackin <eprouthy@bakerlaw.com>

Sent: Wednesday, September 25, 2024 12:56 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Chris Shenton <chrishshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; jessica.ellsworth <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>; Lily Talerman <Lily@scsj.org>

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<plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

We received your September 20, 2024 correspondence. Are NAACP Plaintiffs available tomorrow, September 26 between 12pm and 2pm or between 3:30pm and 5pm ET to meet and confer regarding the NAACP's First Amendment privilege assertions in response to Interrogatory No. 4?

Sincerely,

Erika Prouty

Associate

<image006.png>

<image001.png>

200 Civic Center Drive | Suite 1200

Columbus, OH 43215-4138

T +1.614.462.4710

eprouy@bakerlaw.com

bakerlaw.com

<image002.png>

<image003.png>

From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Friday, September 20, 2024 4:15 PM

To: Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt

<cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>;

Chris Shenton <chrissshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb,

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<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouty@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; Stanley, Trevor M. <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

[External Email: Use caution when clicking on links or opening attachments.]

Counsel,

Please find attached *NAACP* Plaintiffs' response to Legislative Defendants' September 5 Letter, as well as *NAACP* Plaintiffs' Second Production of documents and further supplemented Initial Disclosures. The password for the production will be sent under separate cover.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
[scsj.org](https://www.scsj.org) | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Jyoti Jasrasaria <jjasrasaria@elias.law>

Sent: Friday, September 20, 2024 1:37 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Chris Shenton <chrishshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia

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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Counsel,

Please find attached *Williams* Plaintiffs' response to Legislative Defendants' September 5 letter.

Best,
Jyoti

Jyoti Jasrasaria
Elias Law Group LLP
202-968-4552
(she/her/hers)

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Wednesday, September 18, 2024 3:41 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrishshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard

<[rraille@bakerlaw.com](mailto:raille@bakerlaw.com)>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hi Cassie,

Yes, it is currently our intent to respond in writing by the end of this week.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
[scsj.org](https://www.scsj.org) | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Wednesday, September 18, 2024 1:37 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrishshenton@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraille@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>;

tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Consistent with your email below and our conversation in our office earlier this week, can Plaintiffs please confirm that we will receive a response to our letter this week?

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Friday, September 13, 2024 5:18 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrisshenton@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: Re: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

NAACP Plaintiffs received your letter sent on September 5, and are aware you asked for an answer by today. We have been working diligently on a response, but due to other obligations, including those for this case (such as preparation for Monday's deposition of Sen. Hise), we have not yet been able to finalize a response. We do intend to respond however, and hope to do that next week.

Have a great weekend.

Kind regards,

Hilary

From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Thursday, September 5, 2024 6:02 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrisshenton@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com <nghosh@pathlaw.com>; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Please find attached correspondence directed to both NAACP and Williams' plaintiffs regarding their discovery responses. Responses to the questions from your email this afternoon are in red below.

Best,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

NELSONMULLINS.COM [VCARD](#) [VIEW BIO](#)

From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Thursday, September 5, 2024 2:30 PM

To: Jyoti Jasrasaria <jjasrasaria@elias.law>; Chris Shenton <chrishshenton@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

Can Legislative Defendants please provide an update on the status of the productions? Specifically:

1. Are we correct that last Friday's production completed what you anticipate producing for Sen. Hise, his assistant, and Mr. Springhetti? **You are correct.**
2. Do you have an update on the third-party productions and your position on including Representatives Saine and Stevens as our subpoenas have requested? **We are a little over half way through our review of the production of the additional 10 custodians. We anticipate being done in the next two weeks or so. If you would prefer we can kick off a partial production and get that to you sooner, but it will delay the overall completion. Please let us know your**

preference. As to Representatives Saine and Stevens, our position is unchanged. Plaintiffs have not demonstrated pursuant to Rule 45 that the information sought from Reps. Saine and Stevens cannot be obtained from the Legislative Defendants in this action and the dozen-plus custodians related to that search.

Additionally, we wanted to confirm that the Harrison deposition is going forward on September 18 at 301 Hillsborough St. in Raleigh. Will there be a remote option? My colleague Madeleine Bech intends to participate for NAACP Plaintiffs. I emailed Rep. Harrison's counsel this afternoon to confirm. I believe the House reconvenes on Monday, so that could impact things. I will let you know once we hear back. In any event, we are happy to send a teams meeting to accommodate Madeleine for the deposition.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Jyoti Jasrasaria <jjasrasaria@elias.law>
Sent: Wednesday, August 21, 2024 2:44 PM
To: Chris Shenton <chrishshenton@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com; Alison (Qizhou) Ge <age@elias.law>
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach

<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouty@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: Re: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

The Williams Plaintiffs take the same position with respect to the send path metadata and are also available on October 3 for the deposition of Mr. Springhetti.

I am copying my colleague Alison Ge, who should be included on all future emails. She entered her appearance on behalf of Williams Plaintiffs this week.

Best,
Jyoti

Jyoti Jasrasaria
Elias Law Group LLP
202-968-4552
(she/her/hers)

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From: Chris Shenton <chrishenton@scsj.org>

Sent: Wednesday, August 21, 2024 1:37:42 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com <nghosh@pathlaw.com>; Alison (Qizhou) Ge <age@elias.law>

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach

<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouty@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com <tstanley@bakerlaw.com>

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

Thanks for your email. NAACP Plaintiffs can agree to removing the send path metadata for the search.

We look forward to hearing your position on running the same search terms for Reps. Stevens and Saine. As we stated on the call, NAACP Plaintiffs believe that Reps. Stevens and Saine, as sponsors of one of the challenged laws and members of the House Redistricting committee, are important custodians and should be searched accordingly.

Lastly, NAACP Plaintiffs can confirm that October 3 works for Mr. Springhetti's deposition. We have no issue with accommodating the witness's request for the deposition to proceed in Columbus, but we are arranging for it to proceed at the offices of Thompson Hine located at 41 South High Street, Suite 1700. Please confirm this date with Mr. Springhetti.

Best,
Chris

From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Wednesday, August 21, 2024 10:55 AM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouty@bakerlaw.com>;

McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Chris and Hilary,

Following up on our meet and confer about the subpoenas to Rep. Saine and Stevens, I wanted to confirm our discussion of the search terms referenced in Hilary's email below. We appreciate your willingness to remove the terms below. This helped with hit volume a great deal. Even with the significant drop removing these terms produced, we still had a large number of hits on boundar*. When we reviewed a sample to see what this could be hitting on, it became clear it was hitting in the metadata for the send path of the emails. Essentially it was hitting on the coding part of the server boundary in the code to send or receive an email. When we remove the back end send path metadata from the search field, we get a reasonable number of documents. Excluding the sendpath metadata does not impact the searching of the text of the emails or even the email addresses themselves. Can you please confirm that Plaintiffs agree to removing the send path metadata from the search? If so, we will promptly begin review.

As to Representatives Saine and Stevens we understand that it is Plaintiffs' position that you want the same confirmatory searches run across these two custodians for the same time frame (calendar year 2023). Our position is that this third party information can be sought from the other 13 custodians that are already being searched. Despite our current disagreement, we will take your position back to our clients and get back to you.

Additionally, we have confirmed that October 3 works for Mr. Springhetti's deposition. We can make him available at Baker Hostetler's office in Columbus, which is where Mr. Springhetti resides. There is the ability to conduct the deposition remotely in the office. Can everyone confirm whether that time and location works so that Mr. Springhetti can block off his schedule?

Best,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

From: Hilary Harris Klein <hilaryhklein@scsj.org>
Sent: Friday, August 16, 2024 3:00 PM
To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rRaile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com
Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

Thank you for your response. Can Legislative Defendants please state the basis for their position that the hit counts created pursuant to search terms Plaintiffs provided to Legislative Defendants are privileged work product? As you know, this is an extraordinarily common device for determining and managing discovery burden, but it can only play this role when it is the basis for a shared conversation. Plaintiffs cannot substantively confer on narrowing or eliminating search terms without having some idea of the role a particular term is playing in the overall burden assessment. If one term is 99% of the hits, for example, we would prefer to modify that term rather than remove it entirely – but without seeing hit counts for the full range of terms, as is customary, we cannot make such an assessment. Plaintiffs are willing to consider modifying or reducing the Boolean term Legislative Defendants identify as problematic, or managing the burden some other way, but cannot do so in a vacuum.

Plaintiffs thus propose the following search term replace the term Legislative Defendants identify as producing too many hits: **(Senate OR House OR Congress*) AND (~~District~~* OR map* OR boundar* ~~OR plan~~* OR draw OR redraw OR "re-draw")**. However, Plaintiffs maintain that their request that Legislative Defendants provide hit counts for the terms be provided.

The depositions for Woodhouse and Blaine are currently not moving forward next

week. Please see the attached updated deposition notices. Plaintiffs will keep Legislative Defendants advised of when those depositions are set.

For Mr. Springhetti's deposition, Plaintiffs could do September 23rd or October 1st through 3rd. The 19th and 20th will not work for us.

Thank you for the updates regarding forthcoming productions from Hise/Fanning/Springhetti, Reives, and Harrison, as well as the verification pages.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>
Sent: Thursday, August 15, 2024 4:06 PM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rRaile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

We write to address your email below and follow up on a few additional discovery related items.

We disagree with your characterization of the timeline and the history of discovery thus far. In fact, we believe that our letter was directly responsive to Plaintiffs representation on our last meet and confer that the list of twenty individuals and organizations were the relevant third parties that Plaintiffs were seeking clarifications on. That being said, we have conferred with our clients, and can make the same representation as made in response to the Williams discovery inquiry. To the best of Legislative Defendants' knowledge, other than opening a public portal for comments during the 2023 public comment period, Legislative Defendants did not affirmatively request input for the 2023 Senate Plan from any third party. Additionally, to the best of Legislative Defendants' knowledge, other than opening a public portal for comments during the 2023 public comment period and their hired consultant, Mr. Blake Springhetti, Legislative Defendants did not affirmatively request input for the 2023 Senate Plan from any third party.

With that, we believe any further searches for third party communications is frankly unnecessary. We understand from our last meet and confer that you believe, at least, confirmatory searches would be appropriate. We are willing to conduct some confirmatory searches, but again, the number of documents reviewed must be reasonable in light of the claims made in this case and the representation made above. Our position on producing you the actual search term report has not, and will not change. As repeatedly stated, we do not provide privileged work product. However, we can provide more specifics on the problem area. The problematic search is the following: **(Senate OR House OR Congress*) AND (District* OR map* OR boundar* OR plan* OR draw OR redraw OR "re-draw")** . This Boolean search alone hits on approximately 77,000 unique documents (with family). The remainder of the requested searches yield a significantly more reasonable amount, so it is just this particular search causing the majority of the hit count. 77,000 documents for one Boolean search is not in the realm of what is reasonable in this instance. From our sample review it appears that "District" and "Plan" are the main terms providing false hits. For example, if someone's signature block says they represent Senate District 1, it hits. We welcome your suggestions to revise this search to yield a more reasonable amount of documents.

Finally, we'd like to follow up on a few discovery housekeeping items below:

1. Can you please advise whether the Woodhouse and Blaine depositions are moving forward next week as indicated in Plaintiffs' subpoenas?
2. We are confirmed for the joint Hise deposition on September 16 and 17 in our

office. For the Springhetti deposition we are working to narrow dates, but are looking at either September 19, 20, 23 or the week of September 30. Are there dates in that range that do not work for you? We can then confirm the remaining dates to Mr. Springhetti to finalize.

3. We anticipate making the penultimate production of documents from the Hise/Fanning/Springhetti document set next week.
4. We are expecting a full production from Representative Reives pursuant to his subpoena this week and will pass that along upon receipt. We are likewise expecting a production from Representative Harrison next week and will pass that along too. Her deposition date of 9/18 was confirmed by counsel.
5. Finally, attached are the verification pages for the interrogatories.

Best Regards,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Friday, August 9, 2024 2:15 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com>;

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>;

McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

Regarding the hit counts, if you provide a by-term hit report as we have asked repeatedly for (with total and unique hit counts), we will be able to confer on how to narrow search terms. Please provide this information at first opportunity.

Regarding the letter representation you sent, this letter represents that “neither Legislative Defendants nor their agents solicited or affirmatively sought input on the drawing of the 2023 Legislative Plans *from any of the aforementioned third parties.*” This is not the representation we asked for in the meet and confer and reiterated in the below email chain, which requests a representation that your clients “did not affirmatively seek / solicit input on the 2023 Senate Plan or 2023 House Plan districts or the factors or criteria used to draft those plans *other than from Mr. Springhetti.*”

NAACP Plaintiffs served Requests for Interrogatories nearly four months ago in April seeking information on all individuals and/or entities that drew or provided input in the drawing of the state House and state Senate maps (No. 2 & No. 7). In a good faith effort to avoid going to the court on this issue, we have made significant concessions by narrowing this request to the individuals from whom Legislative Defendants have affirmatively sought / solicited input on those plans. We have made further efforts to narrow down the list of custodians needed to search to identify this information.

It is clear you are able to confer with your clients on this question, and yet you appear to have only asked them for the limited set of third parties we have, again in the interest of conferring in good faith, provided as a courtesy. Legislative Defendants have claimed privilege over an enormous set of documents other than third-party communications. This makes the need for a robust search of third-party communications even more clear with respect to the needs of the case. It cannot be the case that the only category of documents for which a privilege is not claimed is overly burdensome to search. We therefore ask that you confirm whether or not you can provide the representation we have asked for. If you cannot, then we will need to proceed with document discovery of a reasonable scope that will identify this highly relevant information to our claims.

Finally, we are confirmed for Sen. Hise on September 16/17. Please confirm availability for Mr. Springhetti for September as well so counsel can set aside those days.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights

Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Cassie Holt <cassie.holt@nelsonmullins.com>
Sent: Wednesday, August 7, 2024 1:37 PM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <r-raile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com
Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Attached please find correspondence confirming the lack of alternative input. We believe this representation should resolve the issue, but remain open to running some confirmatory searches across the 10 custodians if Plaintiffs feel it is necessary to do so. We continue to believe that Fork and Inman are inappropriate custodians and that the information they possess can be obtained from other more appropriate custodians.

Moreover, our preliminary hit counts on the search terms in my August 2, 2024 email amounted to approximately 80,000 unique documents, which is far outside the realm of a confirmatory search and far outside what is reasonable and proportional for these individuals who are not waiving privilege.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Monday, August 5, 2024 2:29 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrissshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rRaile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

Thank you for the update below. Regarding your understanding, my recollection is that is correct re removing “apportion*” due to budget false hits. My recollection is a bit different re Fork and Inman – I recall you agreeing you would ask your clients about uploading their documents to get hit reports in the first instance.

I also believe we are waiting on another representation regarding third-party involvement, as articulated in my 7/26 email below (and repasted here):

We also understand you are inquiring with your clients about whether Legislative Defendants can represent that, in addition to the Congressional plan, they did not affirmatively seek / solicit input on the 2023 Senate Plan or 2023 House Plan districts or the factors or criteria used to draft those plans other than from Mr. Springhetti. Assuming you can make that representation, Plaintiffs can agree that the third-party search terms can be run in the first instance across the identified third parties that we sent along in order to generate those initial hit numbers.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://twitter.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Friday, August 2, 2024 3:48 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard

<[rraile@bakerlaw.com](mailto:raille@bakerlaw.com)>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

We are transmitting an installment of our rolling production for our three custodians via Titanfile momentarily. The password for this production is: **seju\$6l1pO**

As forecast on our call, this production represents our review of approximately 10,000 documents for Senator Hise, Ms. Fanning (Hise's Legislative Assistant), and Mr. Springhetti, and contains only purely responsive, non-privileged documents. We are still assessing our second level review for privilege, but our goal is still to complete by the end of August.

We can also confirm that the 10 third party custodians have been loaded. As we work to confirm the proposed representations, we have requested preliminary hit counts on the following search terms:

(Senate or House or Congress*) AND (District* OR map* OR boundar* OR plan* OR draw OR redraw OR re-draw)

Redistrict*

gerrymander*

reapportion*

We understood from our meet and confer that Plaintiffs agreed that we could remove *apportion (as was originally in the first Boolean chain) due to its association with budget issues. We also understood on our meet and confer that the parties agreed to proceed with 10 custodians named below first, then further discuss Inman and Fork. As such, we have only loaded the 10 agreed upon custodians at this time.

We will circle back with preliminary hit counts as soon as those are available to us.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Friday, July 26, 2024 5:02 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rRaile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

Thank you for confirming the below and for your time yesterday. We understand from yesterday's conversation and the below that you expect rolling productions for three custodians (Sen. Hise, his assistant, and Mr. Springhetti) to begin next week with the expectation it would be complete by the end of August. We also understand you are seeking authorization to load the third-party custodians in order to generate hit reports for their emails that will inform whether we need to confer on narrowing those search terms to lower volume. From the below it looks like this has begun for 10 custodians, can you confirm the status of the additional (Inman and Fork)?

We also understand you are inquiring with your clients about whether Legislative Defendants can represent that, in addition to the Congressional plan, they did not affirmatively seek / solicit input on the 2023 Senate Plan or 2023 House Plan districts or the factors or criteria used to draft those plans other than from Mr. Springhetti. Assuming you can make that representation, Plaintiffs can agree that the third-party search terms can be run in the first instance across the identified third parties that we sent along in order to generate those initial hit numbers.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Friday, July 26, 2024 4:24 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Legislative Defendants have just served another installment of their rolling document production via Titanfile. These files are responsive to the document requests pertaining to map files, statpacks and amendments.

We continue to work to get you the first installment of the rolling production from the Hise/Fanning/Springhetti email data next week.

We also wanted to confirm that we are in the process of gathering the custodial data for the following 10 persons:

1. State Senator Philip Berger, President Pro Tempore of the North Carolina State Senate
2. State Representative Timothy Moore, Speaker of the North Carolina House of Representatives
3. Dan Gurley, Deputy Chief of Staff for Speaker Moore
4. State Representative Destin Hall, Chair of the House Redistricting Committee
5. Kari Nadler, Representative Hall's Legislative Assistant
6. State Senator Warren Daniel, Co-Chair of the Senate Redistricting and Elections Committee
7. Andy Perrigo, Senator Daniel's Legislative Assistant
8. State Senator Paul Newton, Co-Chair of the Senate Redistricting and Elections Committee and a Defendant
9. Lori Byrd, Senator Newton's Legislative Assistant
10. Brent Woodcox, Senior Policy Counsel, North Carolina General Assembly

Have a great weekend.

Thank you, Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Thursday, July 25, 2024 10:28 AM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth,

Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom
<tom.boer@hoganlovells.com>; Bech, Madeleine R.
<madeleine.bech@hoganlovells.com>; Howell, Misty
<misty.howell@hoganlovells.com>; Durojaye, Odunayo
<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
<olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark
Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach
<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eproudy@bakerlaw.com>;
McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard
<rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hi Cassie,

I look forward to the call. I noticed you did not reply to the latest email in this thread, and so I am repasting the email I sent yesterday at 5:03pm below so we can ensure nothing gets lost in the correspondence.

Cassie,

We are confirmed for a meet and confer on this issue tomorrow at 10:30am and I have circulated a zoom conference information and calendar invite.

In order to ensure a productive conference, it would be helpful to understand more your basis for asserting burden for this collection. For example, can you share the cost increase for each custodian? Can you share the hit volumes by term for the custodians we have agreed to by search term we have also agreed to so we may explore ways to narrow the review volume overall? Is there any way for these two custodians to explore alternative methods of collection from the platform to further reduce burden?

Regarding the hit number reports, while we have in our records Defendants providing the total number of hits, we do not have hits by search term (unique and redundant) for any of the search terms we have agreed to between the parties, and do not understand how this could be work product when those terms are known to all parties. We sincerely believe that, with more information including hit reports, we can find a way to ensure a collection that both manages burden for Defendants while allowing Plaintiffs to adduce the third-party communications responsive to our requests that we all agree do not fall within any privilege.

Finally, with respect to Mr. Fork and Inman's roles and whether any communications do fall within an attorney-client privilege, it is Defendants' burden to substantiate the privilege applies and Plaintiffs do not have any, much less enough, information indicating that burden has been met for redistricting-related communications. This would be most appropriately done in a privilege log, and as stated above, we are willing to work with Defendants to reduce the likelihood you would have to review communications that do not relate to this lawsuit in preparing such a log. *See Md. Restorative Justice Initiative v. Hogan*, 2017 U.S. Dist. LEXIS 158405, at *10 (D. Md. Sept. 27, 2017) ("The distinction between legal advice and political advice is

particularly relevant to this lawsuit...[i]t is quite possible that some communications between the Governor and the Office of Legal Counsel were made for the purpose of obtaining legal advice, and it is also quite possible that some communications were made for the purpose of obtaining other types of advice that would fall outside the privilege. However, the State needs to provide a complete privilege log detailing the documents for which the privilege is claimed.” (citing United States v. Jones, 696 F.2d 1069, 1072 (4th Cir. 1982)).

Kind regards,

Hilary

From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Thursday, July 25, 2024 9:48 AM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngosh@pathlaw.com

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <[rraile@bakerlaw.com](mailto:raille@bakerlaw.com)>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

We are looking forward to a productive meet and confer later this morning. Ahead of that call I want to provide some clarity on the search term hits. We will not be able to provide those on the call.

On our meet and confer on July 10, we were clear that we wanted to agree on custodians before running search terms. We made a counter proposal on custodians shortly after our meet and confer on the afternoon of July 10. As indicated on our July 10 call, we did not begin collecting custodian data for the custodians in our counter

proposal. It would have been inefficient and costly to collect, store, and search the custodial data based on the parameters of our counter proposal when it was unclear whether Plaintiffs would accept those parameters or would request additional custodians, necessitating additional collections, processing, and searches.

Plaintiffs waited until Friday, July 19, to reject our counter proposal and request additional custodians. Even setting aside our clearly communicated position that we would run terms only after an agreement on custodians, it is not reasonable to expect that custodial data for 10 custodians for an entire year could be properly collected, transmitted, loaded and processed for searching, searched, and have search reports produced in a mere 3 business days ahead of our call this morning. We are trying to work with you in good faith, but ask that you understand the time it takes to undertake these collections and searches, especially in light of the nine days it took to counter our proposal.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Wednesday, July 24, 2024 4:45 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark

Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com

Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

We intend to respond to your earlier 12:37pm email, but in the meanwhile I am confirming we are available for the 10:30am meet and confer tomorrow and below are zoom credentials. I will also circulate a calendar invite to this group.

Hilary Klein (she/her) is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/81417889353?pwd=lmr3y7idepoqwxstmPIFbYOGJwDbf.1>

Meeting ID: 814 1788 9353

Passcode: 570002

From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Wednesday, July 24, 2024 4:08 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com

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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Counsel,

Attached for service please find Legislative Defendants' Objections and Responses to *Williams* Plaintiffs' First Request for Production of Documents.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT **ASSOCIATE**

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Wednesday, July 24, 2024 12:37 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com

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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

Your response below does not address our main concern about the legal roles Mr. Fork and Mr. Inman perform. As to the hit reports, we have committed that when appropriate we will provide you with hit numbers (which we did while negotiating the terms for Hise and Springhetti), but we have never agreed to supply Plaintiffs with the actual report which is work product.

As discussed on our meet and confer earlier this month, it is incredibly costly to collect this custodial data, process it, and perform hit reports for each custodian. Your email does not address that cost, and in fact demands that we incur the cost of loading data for 10 custodians, regardless of our objections of the number of custodians. Twelve custodians, in addition to the already agreed upon three, is not proportional to the needs of the case. Moreover, it is unclear what information Plaintiffs believe Mr. Fork and Mr. Inman have that cannot be obtained from the other 13 custodians.

We can meet and confer regarding this issue tomorrow (7/25) at 10:30am.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Tuesday, July 23, 2024 7:57 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo

<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
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Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Jordan Koonts <jordan.koonts@nelsonmullins.com>; Phil Strach
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McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard
<riraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

Rolling productions are preferable for Plaintiffs, thank you. We look forward to hearing dates for Sen. Hise and Mr. Springhetti.

Regarding Fork and Inman, and the budget-related hits you have identified, for those two custodians we would like to meet and confer on a way to further narrow search terms address Defendants' volume-related issues. We have been working as best we can with the extremely limited information Defendants have provided to date. For example, Defendants agreed to provide hit reports early on in our discussions, and despite follow up requests have failed to provide these, limiting our ability to address volume-related issues and narrow terms for Defendants.

Can Defendants please provide hit reports so we can constructively address Defendants' concerns regarding volume for third-party search terms in this manner? This should not hold up your collection of the third-party custodians we agree on to date, and it may allow us to streamline review by narrowing terms appropriately to identify third-party communications that the parties agree are not privileged. Alternatively, Defendants could update your initial disclosures to provide information about who was involved in drawing the challenged plans, which would also allow us to narrow search terms.

The Williams and NAACP Plaintiffs are available tomorrow (Wednesday) 4 – 5pm or Thursday 9 – 11am if it would be helpful to discuss this in a call.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

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From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>
Sent: Tuesday, July 23, 2024 10:43 AM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrissshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

We granted courtesy extensions to Representatives Reives and Harrison on their document productions, and have not yet received any materials from them. Once we receive those materials, they will be sent to all counsel pursuant to Fed. R. Civ. P. 45. I have also not had the September 18 date confirmed by Rep. Harrison's counsel. However, there has not yet been an objection to the date, so we are proceeding as though it is confirmed. If we hear differently, we will let you know.

We are awaiting confirmation from the *Pierce* Plaintiffs as to their position on a joint deposition for Senator Hise. Once we hear back from them, we will be in a position to propose dates for those depositions. We followed up with them this week on that, and we are hopeful that we will have resolution on that issue this week.

We are diligently working on the document production for the three agreed upon custodians. If you prefer to have a rolling production, we could get the first set out around the first of August. If you would prefer a single production, it will likely be later in August.

As to the custodians, 12 is an unreasonable number. The list Legislative Defendants' proposed below called for each legislator (and a corresponding staff member) to be a custodian. That's more than reasonable and proportional to the needs of the case. Additional custodians are not. Moreover, case law is clear that a person's job title is immaterial to whether communications are governed by the attorney-client privilege. The question is whether the communications in question seek or relay legal advice. Mr. Fork and Mr. Inman are routinely solicited for and give legal advice despite their titles of Chief of Staff. It is also common knowledge, and common practice, for the chief of staff to also give legal advice. For example, Representative Reives is represented by his chief of staff, attorney Todd Barlow.

It is true that communications with third parties are not privileged, but as we learned in the SB 747 case, and as articulated in the meet and confer on the 10th, there is not a good way to limit the document review to emails only containing third party emails. This means that all emails have to be reviewed. While this is onerous in itself, the burden is compounded when you are dealing with an attorney who is routinely solicited for legal advice. For example, the Legislature receives numerous public records requests. The root email might be public, responsive, and non-privileged. But, when it gets forwarded to legal counsel for advice the remainder of the chain then has to be redacted and logged. This requires additional significant time and expense. Additionally having already begun to go through Senator Hise's emails some of the overlapping terms requested, are already hitting on a significant number of non-responsive budget items. Given Mr. Fork and Mr. Inman's significant involvement in the budget, we believe this issue is likely to repeat itself.

Best,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Friday, July 19, 2024 10:03 AM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton

<chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Alex Bradley <alex.bradley@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: Re: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

I am writing to follow up on your below inquiry from July 10 regarding third-party search terms, and also confirm our understanding of items discussed in last week's meet and confer with my colleagues (and discussed in the parallel chain "LD Discovery Responses").

Regarding third-party search terms: Your counter-proposal on third-party custodians is acceptable with the exception of taking out Brian Fork and Neal Inman. Your assertions these individuals act as attorneys providing legal advice is inconsistent with their titles as Chiefs of Staff to leadership, and their roles as policy advisors make them particularly relevant custodians whose third-party communications you agree would not be privileged. For us to productively confer on these custodians, can you please articulate in more detail on what basis you believe they are not appropriate custodians, how their work could be subject to blanket privilege, or why a search would be burdensome to collect?

We understand you will be proposing dates for the Springhetti and Hise depositions, and you are currently running the agreed-upon search terms on the three custodians. Do you have an anticipated timeline for those productions?

Lastly, we wanted to inquire about any updates with regard to the notice of subpoenas issued on June 20 to Rep. Reives and Rep. Harrison – have you received any documents, and is the Harrison deposition proceeding on September 18 as noticed?

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
(Admitted in NC and NY)

From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>
Sent: Thursday, July 11, 2024 5:02:14 PM
To: Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt
<cassie.holt@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Steed,
Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris
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<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
<olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark
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tstanley@bakerlaw.com <tstanley@bakerlaw.com>
Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No.
23cv1104)

Jyoti,

Legislative Defendants are fine with the redlines circulated yesterday. You have our permission to get this on file at your convenience after approval from the NCSBE Defendants.

Best,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

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From: Jyoti Jasrasaria <jjasrasaria@elias.law>

Sent: Wednesday, July 10, 2024 6:04 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrissenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Alyssa,

Thank you for the productive conversation and for sending along the below counter proposal regarding custodians. We will consider and get back to you soon.

In the meantime, attached are additional redlines to the protective order per today's meet and confer. Please let us know if you have any questions or further edits.

Best,
Jyoti

Jyoti Jasrasaria

Elias Law Group LLP

202-968-4552

(she/her/hers)

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From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Wednesday, July 10, 2024 5:38 PM

To: Jyoti Jasrasaria <jjasrasaria@elias.law>; Cassie Holt <cassie.holt@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com

Cc: Alex Bradley <alex.bradley@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

All,

Thank you for a productive meet and confer.

We now understand that Plaintiffs are not seeking several dozen custodians, but are instead seeking the 14 custodians below for searches for third-party communications from legislators asserting privilege. In light of this understanding after our call, we make the following counter proposal:

1. State Senator Philip Berger, President Pro Tempore of the North Carolina Senate
2. Brian Fork, Chief of Staff for the Office of the President Pro Tem, North Carolina Senate
3. State Representative Timothy Moore, Speaker of the North Carolina House of Representatives
4. Neal Inman, Chief of Staff for Speaker Moore

5. Dan Gurley, Deputy Chief of Staff for Speaker Moore
6. State Representative Destin Hall, Chair of the House Redistricting Committee
7. Kari Nadler, Representative Hall's Legislative Assistant
8. ~~Representative Sarah Stevens, co-sponsor of H898~~
9. ~~Representative Jason Saine, co-sponsor of H898~~
10. State Senator Warren Daniel, Co-Chair of the Senate Redistricting and Elections Committee
11. Andy Perrigo, Senator Daniel's Legislative Assistant
12. ~~State Senator Ralph Hise, Co-Chair of the Senate Redistricting and Elections Committee (covered by Separate Agreement)~~
13. ~~Susan Fanning, Senator Hise's Legislative Assistant (Covered by Separate Agreement)~~
14. State Senator Paul Newton, Co-Chair of the Senate Redistricting and Elections Committee and a Defendant
15. Lori Byrd, Senator Newton's Legislative Assistant
16. Brent Woodcox, Senior Policy Counsel, North Carolina General Assembly

This strikes Senator Hise and Ms. Fanning since they are covered by separate agreement along with Mr. Springhetti. Additionally, we've struck Representatives Stevens and Saine. These individuals are neither defendants nor staff of defendants, and we believe they are not appropriate custodians. We also struck Brian Fork and Neal Inman. As discussed, these individuals are attorneys who provide legal advice to Senator Berger and Speaker Moore, respectively. It will be extremely onerous to search their communications and log those that are covered by the attorney client privilege. As we mentioned, it is extremely expensive just to collect these files and process them for searching. We think this list of 10 is appropriate and proportional to the needs of the case. It covers each legislative defendant, and a staff member, and is in addition to the three custodians already agreed upon. If Plaintiffs agree to these legislative custodians we will proceed to collect the files and run the proposed search terms. If there are issues with the search terms we can negotiate from there and hopefully reach agreement as we did with Senator Hise, Ms. Fanning, and Mr. Springhetti.

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

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From: Jyoti Jasrasaria <jjasrasaria@elias.law>
Sent: Wednesday, July 10, 2024 2:29 PM
To: Cassie Holt <cassie.holt@nelsonmullins.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrissshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

Williams and NAACP Plaintiffs' counsel have reviewed your proposed edits to the protective order. We've accepted them and made some additional redlines in the privilege log section for your review. We're happy to discuss during this afternoon's meet and confer.

Best,
Jyoti

Jyoti Jasrasaria
Elias Law Group LLP
202-968-4552
(she/her/hers)

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Sent: Monday, July 8, 2024 1:45 PM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton

<chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; ngghosh@pathlaw.com
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Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Hilary,

My apologies, thank you for doing the compare change. Attached is my second attempt. There are a few comments in the attached explaining some of the redlines that may be helpful in your review.

Best,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Monday, July 8, 2024 1:35 PM

To: Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe,

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<jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>;
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<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
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Haider <mhaider@elias.law>; ngghosh@pathlaw.com
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<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>;
McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard
<rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Cassie,

Thank you for this. I am not sure if others had this issue, but I was not able to see any track changes or comments in the draft you sent over. Attached is a redline I did by comparing what you sent back to what we sent you, which we will look at and respond to.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
[scsj.org](https://www.scsj.org) | [@scsj](https://www.facebook.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
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From: Cassie Holt <cassie.holt@nelsonmullins.com>

Sent: Monday, July 8, 2024 12:21 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Steed, Terence <Tsteed@ncdoj.gov>;
Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton
<chrishshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe,

Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido
<jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>;
Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R.
<madeleine.bech@hoganlovells.com>; Howell, Misty
<misty.howell@hoganlovells.com>; Durojaye, Odunayo
<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
<olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark
Haidar <mhaidar@elias.law>; nghosh@pathlaw.com
Cc: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Jyoti Jasrasaria
<jjasrasaria@elias.law>; Alex Bradley <alex.bradley@nelsonmullins.com>; Phil Strach
<phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouty@bakerlaw.com>;
McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard
<[rraile@bakerlaw.com](mailto:raille@bakerlaw.com)>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Counsel,

Attached please find Legislative Defendants' redlines to Plaintiffs' Proposed Stipulated Protective Order.

We are diligently working on responses to Plaintiffs' similar discovery letters, and aim to have responses to you ahead of our call set for Wednesday (7/10) at 4pm EST.

Thank you,

Cassie

<image004.jpg>

CASSIE A. HOLT ASSOCIATE

cassie.holt@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3886 F 919.329.3799

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Sent: Wednesday, June 26, 2024 2:16 PM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Cassie Holt
<cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Jyoti

Jasrasaria <jjasrasaria@elias.law>; Alex Bradley <alex.bradley@nelsonmullins.com>;
Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin
<eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile,
Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>;
tstanley@bakerlaw.com; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris
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<madeleine.bech@hoganlovells.com>; Howell, Misty
<misty.howell@hoganlovells.com>; Durojaye, Odunayo
<odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia
<olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark
Haidar <mhaidar@elias.law>; nghosh@pathlaw.com

Subject: RE: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Counsel,

Please find attached a proposed stipulated protective order governing the production of documents and information in this matter, agreed upon by the consolidated Plaintiffs. We seek Defendants' agreement in jointly proposing this to the Court, and are happy to arrange a time to discuss if needed.

NC NAACP Plaintiffs would like to get this on file before NC NAACP Plaintiffs make any productions in this matter.

Kind regards,

Hilary

Hilary Harris Klein
Pronouns: She, Her, Hers

Senior Counsel for Voting Rights
Southern Coalition for Social Justice
P.O. Box 51280, Durham, NC 27717
hilaryhklein@scsj.org
scsj.org | [@scsj](https://www.instagram.com/scsj) | FB: [@southerncoalition](https://www.facebook.com/southerncoalition)
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From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Tuesday, June 11, 2024 4:47 PM

To: Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Steed, Terence <Tsteed@ncdoj.gov>; Jyoti Jasrasaria <jjasrasaria@elias.law>; Alex Bradley <alex.bradley@nelsonmullins.com>; Phil Strach <phil.strach@nelsonmullins.com>; Prouty, Erika Dackin <eprouthy@bakerlaw.com>; McKnight, Katherine L. <kmcknight@bakerlaw.com>; Raile, Richard <rraile@bakerlaw.com>; Lewis, Patrick T. <plewis@bakerlaw.com>; tstanley@bakerlaw.com; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Chris Shenton <chrisshenton@scsj.org>; Leggett, Corey T. <corey.leggett@hoganlovells.com>; Gbe, Harmony A. <harmony.gbe@hoganlovells.com>; Jeff Loperfido <jeffloperfido@scsj.org>; Ellsworth, Jessica L. <jessica.ellsworth@hoganlovells.com>; Boer, Tom <tom.boer@hoganlovells.com>; Bech, Madeleine R. <madeleine.bech@hoganlovells.com>; Howell, Misty <misty.howell@hoganlovells.com>; Durojaye, Odunayo <odunayo.durojaye@hoganlovells.com>; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Abha Khanna <akhanna@elias.law>; Mark Haidar <mhaidar@elias.law>; nghosh@pathlaw.com

Subject: [External]Williams v. Hall (No. 23cv1057) and NAACP v. Berger (No. 23cv1104)

Dear Counsel,

Please find attached Legislative Defendants first set of discovery to Williams and NAACP Plaintiffs.

Best,
Alyssa

<image004.jpg>

ALYSSA RIGGINS SENIOR ASSOCIATE

alyssa.riggins@nelsonmullins.com

301 HILLSBOROUGH STREET | SUITE 1400

RALEIGH, NC 27603

T 919.329.3810 F 919.329.3799

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